

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

**JESSIE BROWN, CARLOS BROWN,
and VICTOR GARCIA**
Plaintiffs,

v.

FRAC SPYDER, LLC,
Defendant.

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MO:23-CV-00182-DC-RCG

REPORT AND RECOMMENDATION OF THE U.S. MAGISTRATE JUDGE

BEFORE THE COURT is the parties' Joint Motion for Approval of FLSA Settlement and Stipulation of Dismissal of Lawsuit with Prejudice. (Doc. 21). This case is before the undersigned through an Order pursuant to 28 U.S.C. § 636 and Appendix C of the Local Court Rules for the Assignment of Duties to United States Magistrate Judges. After due consideration, the undersigned **RECOMMENDS** that the parties' Joint Motion for Court Approval of Settlement be **GRANTED**. *Id.*

Plaintiffs allege Defendants violated the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201 *et seq.*, by failing to pay Plaintiffs overtime wages. (Doc. 1). The parties move the Court to approve their Settlement Agreement. (Doc. 21). The Court reviewed the Joint Motion, which describes the Settlement Agreement, and finds that the settlement of this action is fair to all parties, reasonably resolves a bona fide disagreement between the parties concerning the merits of the claims asserted in this action, and demonstrates a good faith intention by the parties to fully and finally resolve all claims asserted. *Id.*

The Court therefore **RECOMMENDS** that the parties' Joint Motion for Approval of Confidential Settlement Agreement and Dismissal with Prejudice be **GRANTED**. (Doc. 21). It is further **RECOMMENDED** that Plaintiffs' claims against Defendant be **DISMISSED WITH PREJUDICE**.

SIGNED this 5th day of December, 2024.



RONALD C. GRIFFIN
UNITED STATES MAGISTRATE JUDGE

INSTRUCTIONS FOR SERVICE AND NOTICE OF RIGHT TO APPEAL/OBJECT

In the event that a party *has not been served* by the Clerk with this Report and Recommendation electronically, pursuant to the CM/ECF procedures of this District, the Clerk is **ORDERED** to mail such party a copy of this Report and Recommendation by certified mail. Pursuant to 28 U.S.C. § 636(b)(1), any party who desires to object to this report must serve and file written objections within fourteen (14) days after being served with a copy. A party filing objections must specifically identify those findings, conclusions, or recommendations to which objections are being made; the District Judge need not consider frivolous, conclusive, or general objections. Such party shall file the objections with the Clerk of the Court and serve the objections on all other parties. A party's failure to file such objections to the proposed findings, conclusions, and recommendations contained in this report shall bar the party from a *de novo* determination by the District Judge. Additionally, a party's failure to file written objections to the proposed findings, conclusions, and recommendations contained in this report within fourteen (14) days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the District Judge. *Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996).